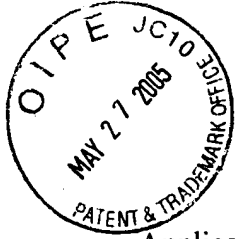


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Express Mail Label No.: EV 292462090 US
Date of Deposit: May 27, 2005

DOCKET NO.: D0188.70162US01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sancioff et al.
Serial No.: 10/014,991
Confirmation No.: 4207
Filed: December 11, 2001
For: MEDICAL SUTURE INSTRUMENT AND METHOD OF USE

Examiner: Gary Jackson
Art Unit: 3731

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited foreign references
- Copy of International Search Report dated November 29, 1999
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

Walt Norfleet, Reg. No.: 52,078
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: D0188.70162US01
Date: May 27, 2005
xNDDx



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Examiner: Gary Jackson
Art Unit: 3731

MAIL STOP Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

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Serial No.: 10/014991
Conf. No.: 4207

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Art Unit: 3731

The Applicant hereby makes the following additional information of record in the above-identified application.

The above-identified U.S. application claims priority to U. S. Patent Application Serial No. 09/368,273, now U.S. Patent No. 6,332,889.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Publication No.</u>
10/051322	01/18/02	n/a
10/141692	05/07/02	US-2003-0028202-A1
10/202530	07/23/02	US-2003-0105475 -A1
10/243556	09/13/02	US-2003-0105476-A1
10/352600	01/28/03	US-2003-0114863-A1
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10/441652	05/19/03	US-2004-0092967-A1
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10/760634	01/20/04	US-2005-0038449-A1
10/764837	01/26/04	US-2004-0158267-A1
10/848512	05/18/04	n/a
10/897975	07/23/04	US-2005-0043747-A1
10/919792	08/17/04	US-2005-0085832-A1

The Applicant would like to bring to the Examiner's attention the enclosed copy of the International Search Report from Patent Cooperation Treaty Application No. PCT/US99/19491, dated November 29, 1999, which corresponds to Parent U. S. Patent Application Serial No. 09/368,273, now U.S. Patent No. 6,332,889.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

Serial No.: 10/014991
Conf. No.: 4207

- 4 -

Art Unit: 3731

An early and favorable action is hereby requested.

Respectfully submitted,

By: Walt Norfleet
Walt Norfleet, Reg. No. 52,078
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600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: D0188.70162US01
Date: May 27, 2005
xNDDx



FORM PTO-1449/A and B (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICATION NO.: 10/014,991

ATTY. DOCKET NO.: D0188.70162US01

FILING DATE: Dec. 11, 2001

CONFIRMATION NO.: 4207

APPLICANT: Sancoff et al.

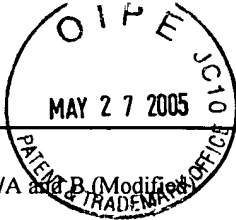
GROUP ART UNIT: 3731

EXAMINER: Gary Jackson

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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
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		1,449,087		BUGBEE	3/20/1923
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FORM PTO-1449/A and B (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICATION NO.: 10/014,991

ATTY. DOCKET NO.: D0188.70162US01

FILING DATE: Dec. 11, 2001

CONFIRMATION NO.: 4207

APPLICANT: Sancioff et al.

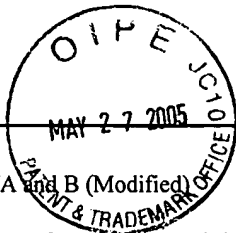
GROUP ART UNIT: 3731

EXAMINER: Gary Jackson

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U.S. PATENT DOCUMENTS

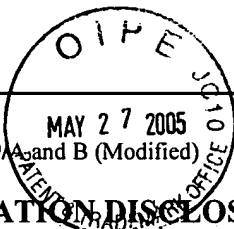
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FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/014,991		ATTY. DOCKET NO.: D0188.70162US01	
				FILING DATE: Dec. 11, 2001		CONFIRMATION NO.: 4207	
				APPLICANT: Sancioff et al.			
				GROUP ART UNIT: 3731		EXAMINER: Gary Jackson	
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U.S. PATENT DOCUMENTS

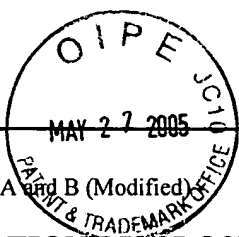
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/014,991	ATTY. DOCKET NO.: D0188.70162US01	
				FILING DATE: Dec. 11, 2001	CONFIRMATION NO.: 4207	
				APPLICANT: Sancioff et al.		
				GROUP ART UNIT: 3731	EXAMINER: Gary Jackson	
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FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/014,991		ATTY. DOCKET NO.: D0188.70162US01	
				FILING DATE: Dec. 11, 2001		CONFIRMATION NO.: 4207	
				APPLICANT: Sancoff et al.			
				GROUP ART UNIT: 3731		EXAMINER: Gary Jackson	
Sheet	5	of	5				

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document	Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		2005/0043747	Field, et al.	2/24/2005
		2005/0085832	Sancoff, et al.	4/21/2005

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Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
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		EP	0 646 356		WILLIAMSON ET AL	4/5/1995	N
		EP	0 705 569		SHERTS	4/10/1996	N
		EP	0 741 996		YATES	11/13/1996	N
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		WO	02/43569		JULIAN ET AL	6/6/2002	N
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		WO	93/16644		HABER ET AL	9/2/1993	N
		WO	95/18572		KOUKLINE	7/13/1995	N
		WO	96/10957		STIGGELBOUT ET AL	4/18/1996	N
		WO	96/27331		YOON	9/12/1996	N
		WO	98/11829		KORTENBACH ET AL	3/26/1998	N

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	*	Auto Suture Company, VCS Clip Applier System, Undated	N

EXAMINER:	DATE CONSIDERED:
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/368,273 , filed August 3, 1999 , and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).